In Re Application of:
Hostetler et al.
Application No.: 10/770,885
Filed: February 2, 2004
Page 2

## Amendments to the Claims:

Please amend claims 1, 7-12, 23-25, and 27 as shown in the listing of claims.

Please cancel 5, 6, 14-22, 26, 28-58, 62, and 63 without prejudice.

This listing of claims will replace all prior versions, and listings of claims in the application.

## **Listing of Claims:**

1. (Currently Amended) A method for treating a pathological condition of ocular tissue, comprising contacting a therapeutically active complex with ocular tissue, wherein the therapeutically active complex is 1-O-hexadecyloxypropyl-phosphoarabinofuranosylguanosine (HDP-P-Ara-G), 1-O-hexadecyloxypropyl-cycliccidofovir (HDP-cCDV) or hexadecyloxypropyl-3-phospho-ganciclovir (HDP-P-GCV), has-the-structure-I:

wherein the pathological condition is selected from the group consisting of macular degeneration, eye trauma, a pre-existing retinal detachment, ocular proliferative or vascular diseases, of and diseases of elevated intraocular pressure, wherein in structure I:

each of  $R_1$  and  $R_1$  is independently selected from the group consisting of H, an optionally substituted  $O(C_1 \cdot C_{24})$ alkyl,  $O(C_1 \cdot C_{24})$ alkenyl,  $O(C_1 \cdot C_{24})$ acyl,  $-S(C_1 \cdot C_{24})$ alkyl,  $S(C_1 \cdot C_{24})$ alkenyl, and  $-S(C_1 \cdot C_{24})$ acyl, wherein at least one of  $R_1$  and  $R_1$  is not -H, and wherein the alkenyl or acyl optionally has between 1 and 6 double hands.

In Re Application Of:
Hostetler et al.
Application No.: 10/770,885
Filed: February 2, 2004

Page 3

$$\begin{split} & each\ of\ R_2\ and\ R_2'\ is\ independently\ selected\ from\ the\ group\ consisting\ of\ -H,\ an\ optionally\ substituted\ -O(C_4\ -C_7)alkyl,\ -O(C_1\ -C_7)alkenyl,\ -S(C_1\ -C_7)alkyl,\ -S(C_1\ -C_7)alkyl,\ -N(C_1\ -C_7)aeyl,\ -NH(C_4\ -C_7)alkyl,\ -NH(C_4\ -C_7)alkyl,\ -NH(C_4\ -C_7)alkyl)_{2_7}\ oxo,\ halogen,\ -NH_{2_7}\ -OH,\ and\ -SH; \end{split}$$

X is

$$\frac{\begin{pmatrix} R_2 \\ C \\ R_2 \end{pmatrix}}{R_2}$$

L is selected from the group consisting of a valence bond and a bifunctional linking group of the formula—J (CR<sub>2</sub>), G, wherein t is an integer having the value between 1 and 24, each of J and G is independently selected from the group consisting of O, S, C(O)O, and NH, and R is selected from the group consisting of H, substituted or unsubstituted alkyl, and alkenyl;

R<sub>3</sub> is a phosphate or phosphonate derivative of a therapeutically active agent;

m is an integer having the value between 0 and 6; and

n is 0 or 1;

thereby treating the pathological condition.

- 2-6. (Canceled).
- (Currently Amended) The method of claim 1, wherein the <u>therapeutically</u> active complex has a particle size from about 10 nm up to 100,000 nm.
- 8. (Currently Amended) The method of claim 1, wherein the <u>therapeutically active</u> complex has a particle size from about 500 nm up to 100,000 nm.
- (Currently Amended) The method of claim 1, wherein the <u>therapeutically</u> active complex has a particle size from about 500 nm up to about 50,000 nm.

PATENT Attorney Docket No. UCSD1480-1

In Re Application Of:
Hostetler et al.
Application No.: 10/770,885
Filed: February 2, 2004
Page 4

- 10. (Currently Amended) The method of claim 1, wherein the therapeutically active complex is in a slurry comprising amorphous forms and crystalline forms.
- 11. (Currently Amended) The method of claim 1, wherein the <u>therapeutically</u> active complex is in substantially crystalline form.
- 12. (Currently Amended) The method of claim 1, wherein the <u>therapeutically</u> active complex is in substantially amorphous form.
  - 13-22. (Canceled).
- 23. (Currently Amended) A method for the slow-release delivery of a therapeutically active eomplex of elaim 1 agent to ocular tissue, comprising contacting the ocular tissue with a complex of a therapeutically active agent complex, wherein the therapeutically active complex is 1-O-hexadecyloxypropyl-phospho-arabinofuranosyl-guanosine (HDP-P-Ara-G), 1-O-hexadecyloxypropyl-cyclic-cidofovir (HDP-cCDV) or hexadecyloxypropyl-3-phospho-ganciclovir (HDP-P-GCV), wherein the therapeutically active complex comprises particles having size between about 10 nm and about 100,000 nm, thereby delivering a slow-release of the therapeutically active agent to ocular tissue.
- 24. (Currently Amended) A method for increasing residence time of a therapeutically active agent in ocular tissue, comprising forming the therapeutically active complex of claim 22, and contacting the a therapeutically active complex with ocular tissue, wherein the therapeutically active complex is 1-O-hexadecyloxypropyl-phospho-arabinofuranosylguanosine (HDP-P-Ara-G), 1-O-hexadecyloxypropyl-cyclic-cidofovir (HDP-cCDV) or hexadecyloxypropyl-3-phospho-ganciclovir (HDP-P-GCV), thereby increasing residence time of the therapeutically active agent in ocular tissue.
- 25. (Currently Amended) The method of any one of claims 1, 22, or claim 23 or claim 24, wherein the therapeutically active agent is for treating a patholical condition

PATENT Attorney Docket No. UCSD1480-1

In Re Application Of: Hostetler et al. Application No.: 10/770,885 Filed: February 2, 2004

Page 5

of ocular tissue, wherein the pathological condition is selected from a the group consisting of macular degeneration, ocular proliferative or vascular diseases, and eye trauma diseases of elevated intraocular pressure.

26. (Canceled).

27. (Currently Amended) The method of claim 1, wherein the therapeutically active agent is selected from the group consisting of adefovir, eidofovir, eyelic eidofovir, tenofovir, a derivative of azidothymidine, an anti-neoplastic nucleoside, and an antibody or a fragment thereof, and wherein the pathological condition is selected from the group consisting of macular degeneration, eye trauma, and a pre-existing retinal detachment.

28-63. (Canceled).